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7 Attorneys for Plaintiff, Tammy Gravley as administrator
8 of the Estate of Philip R. Vaughn

9
10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 IN RE: BEXTRA AND CELEBREX MARKETING
13 SALES PRACTICES AND PRODUCT LIABILITY
14 LITIGATION

Case No. 05-4970 CRB

MDL No. 1699

District Judge: Charles R. Breyer

15 This Document Relates to:

16 William Adams, et al. v. Pfizer, Inc., et al., MDL No.
17 05-4970: (Tammy Gravley as administrator of the
18 Estate of Philip R. Vaughn)

19 STIPULATION AND ORDER OF
20 DISMISSAL WITH
21 PREJUDICE ONLY AS TO
22 TAMMY GRAVLEY, AS
23 ADMINISTRATOR OF THE ESTATE
24 OF PHILIP R. VAUGHN

25 **IT IS HEREBY STIPULATED AND AGREED**, pursuant to Federal Rules of Civil
26 Procedure 41(a), by and between counsel for the PLAINTIFF, TAMMY GRAVLEY, AS
27 ADMINISTRATOR OF THE ESTATE OF PHILIP R. VAUGHN, and counsel for the
28 Defendant, that the Complaint of Plaintiff TAMMY GRAVLEY, AS ADMINISTRATOR OF
THE ESTATE OF PHILIP R. VAUGHN, is hereby dismissed with prejudice.

1. Plaintiff is TAMMY GRAVLEY, AS ADMINISTRATOR OF THE ESTATE OF
PHILIP R. VAUGHN; Defendant is PFIZER PHARMACEUTICALS, INC.;
2. On April 11, 2005, Plaintiff sued Defendant;
3. Plaintiff is part of a class action lawsuit and is a named Plaintiff;

- 1 4. This stipulation and dismissal only applies to TAMMY GRAVLEY, AS
- 2 ADMINISTRATOR OF THE ESTATE OF PHILIP R. VAUGHN and not to any
- 3 other named plaintiff in this class action;
- 4
- 5 5. PLAINTIFF, TAMMY GRAVLEY, AS ADMINISTRATOR OF THE ESTATE
- 6 OF PHILIP R. VAUGHN moves to dismiss his claims against Defendant;
- 7
- 8 6. Defendant has answered these claims;
- 9
- 10 7. Plaintiff has not dismissed an action based on or including the same claims as
- 11 those present in this suit.
- 12
- 13 8. Each side shall bear its own attorneys' fees and costs.
- 14

15 Dated: 2/26/05

KENNETH B. MOLL & ASSOCIATES, LTD.

16 By: Pamela G. Sotoodeh

Pamela G. Sotoodeh

17 Attorneys for TAMMY GRAVLEY, AS
18 ADMINISTRATOR OF THE ESTATE OF PHILIP
19 R. VAUGHN

20 Dated: 3/2/07

SIDLEY AUSTIN, LLP

21 By: Debra E. Pole

Debra E. Pole

22 Attorney for Defendant PFIZER, INC.,

23 Dated: 3/5/07

GORDON & REES

24 By: Stuart M. Gordon

Stuart M. Gordon

25 Attorney for Defendant PFIZER, INC.,
26
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2 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION, IT IS**
3 **SO ORDERED.**

4 Dated: March 5, 2007

